

PATENT  
Attorney Docket No.: 106.48

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Joshua D. Kaplan )

Serial No.: 09/412,404 )

Filed: October 5, 1999 )

For: **NETWORK APPARATUS AND  
METHOD FOR PREVIEW OF  
MUSIC PRODUCTS AND  
COMPILATION OF MARKET  
DATA** )

A Continuation of: )

Serial No. 08/741,915 )

Filed: October 31, 1996 )

Examiner: Not Yet Assigned

Art Unit: 2761

**INFORMATION DISCLOSURE  
STATEMENT**

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**CERTIFICATE OF MAILING**

I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on this date January 28, 2000, in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231.

By: C. Wilson

C. Wilson

Asst. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant submits herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

This Information Disclosure Statement is filed before the first Office Action, or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified). A copy of each of the items listed on form PTO-1449 is supplied herewith.

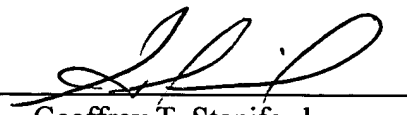
A concise explanation of relevance of the items listed on PTO-1449 is not given. The Examiner is respectfully reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,  
DERGOSITS & NOAH LLP

Dated: January 28, 2000

By:   
Geoffrey T. Staniford  
Reg. No. 43,151

DERGOSITS & NOAH LLP  
Four Embarcadero Center, Suite 1150  
San Francisco, California 94111  
(415) 705-6377